

AN ORDINANCE TO AMEND THE LAUREL CODE OF ORDINANCES AND TO ADD A NEW CHAPTER PERTAINING TO THE REGULATION OF DISCHARGING ANIMAL AND VEGETABLE FATS, OILS, GREASE AND OTHER FOOD WASTE IN THE CITY SEWER SYSTEM

WHEREAS, the City of Laurel, Mississippi, presently does not have an ordinance outlining the required procedures providing for grease traps or interceptors for non-residential users of the city sewer system and prohibiting the direct or indirect discharge of insoluble materials, oil, fats or grease into the city sewer system; and,

WHEREAS, the Mayor and City Council finds it to be in the public interest to provide regulations regarding grease interceptors and to provide uniform requirements for the maintenance and operation of grease traps, grease interceptors and for increased enforcement consistent with the International Plumbing Code, 2012 Edition, as adopted and amended accordingly by the City; and,

WHEREAS, it is in the public interest to curb sanitary sewer overflows from grease accumulations in the sanitary sewer facilities of the City; and,

WHEREAS, prevention of the introduction of wastewater containing oil and grease and/or solids in amounts which may cause stoppages or obstructions of flow, or in any other way prevent or inhibit operation of the sanitary sewer system and treatment plant; and,

WHEREAS, said prevention will protect the environment and health, safety and welfare of the public and the public will be served by uniform requirements for maintenance of grease traps, interceptors and separators;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Laurel, Mississippi, that the following sections be added to the Laurel Code of Ordinances pertaining to the regulation of discharging animal and vegetable fats, oils, grease and other food waste in the city sewer system:

SECTION I: PURPOSE

The purpose of this ordinance is to control discharges into the public sewerage collection system and wastewater treatment plant that interfere with the operations of the system, cause blockage and plugging of pipelines, interfere with normal operation of pumps and their controls, and contribute waste of a strength or form that either causes treatment difficulties or is beyond the treatment capability of the wastewater treatment plant from industrial or commercial establishments, particularly food preparation and serving facilities.

SECTION II. APPLICABILITY AND PROHIBITIONS.

- 1) This Ordinance shall apply to all non-domestic users within the city limits of Laurel, Mississippi.
- 2) Grease traps or grease interceptors shall not be required for residential users.
- 3) Facilities generating fats, oils or greases as a result of food manufacturing, processing, preparation, or food service shall install, use, and maintain appropriate grease traps or interceptors. These facilities include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any food stuff available for consumption.
- 4) No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, mineral oil, or any fats, oils, or greases of animal or vegetable origin into the sewer system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.
- 5) The following establishments shall be exempt:
 - a) One that operates for a maximum duration of four (4) days in connection with an annual event, such as a fair, carnival, circus, public exhibition or other public gathering.
 - b) One that sells or serves prepackaged or precooked foods that would require warming only or are served without additional processing or cooking in a manner in which washing is not required, so as not to introduce grease into the wastewater;
 - c) One that serves only snow cones, drinks or ice cream products;
 - d) Produce markets without food grinders;
 - e) Grocery or convenience stores without food preparation, meat cutting or packaging, delicatessens or bakeries; or
 - f) Daycare centers which primarily serve microwave dishes, using single service items, served in a manner in which washing is not required, so as not to introduce grease into the wastewater.

SECTION III. DEFINITIONS

1. **Act** shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U. S. C. 1251, et seq.
2. **BOD** means the value of the 5-day test for Biochemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater".
3. **COD** means the value of the test for Chemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater".
4. **City Plumbing Inspector** shall mean the person and/or persons authorized by the City Administration to conduct plumbing inspections on behalf of this ordinance.
5. **EPA** means the United States Environmental Protection Agency.
6. **Fat, oils and greases (FOG)** shall mean organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease" or "greases".
7. **Food** shall mean any substance, whether solid or liquid, and whether animal, vegetable, or fruit origin, intended to be used or commonly used as a food for human consumption.

8. **Food Establishment** shall mean any place where food is manufactured, packaged, produced, processed, prepared or served for commercial, public or facility resident consumption. These establishments primarily use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. The term shall also include any such place regardless of whether there is a charge for the food. The term shall not include a private home where food is prepared for individual family consumption.
9. **Grease trap** or grease interceptor shall mean a device designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and grease prior to the wastewater entering the sanitary sewer collection system. These devices also serve to collect settle able solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection system. The terms grease trap and grease interceptor are used interchangeably for purposes of this Article.
10. **Indirect Discharge** or **Discharge** shall mean the introduction of pollutants into the city sewer system from any non-domestic source.
11. **Interference** shall mean a discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the city sewer system, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of the city's laws and/or regulations.
12. **Oil/Water separator** shall mean approved and industry standard system that is specifically designed and manufactured to separate oil from water. The system shall allow the oil to be collected and removed on a regular basis as to prevent it from being discharged into the wastewater collection system. Only oil/water separators manufactured for that specific operation will be approved.
13. **Person** shall mean an individual, or any association, company, corporation, firm, organization or partnership, singular or plural, of any kind.
14. **Sanitary Sewer** shall mean a system of pipes, conduit, and treatment facilities owned or operated by the City which collect, transport and treat sanitary sewage, and to which storm, surface, and ground waters are not intentionally or normally admitted.
15. **User** shall mean any person or establishment including those located outside the jurisdictional limits of the City who contributes causes, or permits the contribution or discharge of wastewater into the City's wastewater collection or treatment system, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

SECTION IV. CONTROL PLAN FOR FOG (FATS, OIL, AND GREASE) AND FOOD WASTE.

- A. Any new construction, renovation, or expansion of Food Service Facilities shall be required to submit to the City a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system.
- B. Any existing Food Service facilities shall also be required to submit a FOG and food waste control plan that will effectively control the discharge of undesirable materials into the wastewater collection system.

SECTION V. GENERAL CRITERIA.

- A. Installation requirements: All existing, proposed, or newly remodeled Food Service Facilities inside the City of Laurel, Mississippi wastewater service area shall be required to install, at the user's expense, an approved, properly operated and maintained grease trap.

- B. Sanitary sewer flows: Sanitary sewer flows from toilets, urinals, lavatories, etc. shall not be discharged into the grease trap. These flows shall be conveyed separately to the sanitary sewer service lateral.
- C. Floor drains: Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease trap.
- D. Garbage grinders/disposals: It is recommended that solid food waste products be disposed of through normal solid waste/garbage disposal means. If a grinder/disposal is used it must be connected to the grease trap. The use of grinders is discouraged since it decreases the operational capacity of the grease trap and will require an increased pumping frequency to ensure continuous and effective operation.
- E. Dishwasher: Commercial dishwashers must be connected to the grease trap. Dishwashers discharge soap and hot water which can melt grease and allow it to pass through an undersized grease trap. Traps must be sized accordingly to allow enough detention time to allow water to cool grease to solidify and float to the top of the trap.
- F. Location: Grease trap shall be installed outside the building upstream from the sanitary sewer service lateral connection. This will allow easy access for inspection, cleaning, and removal of the intercepted grease at any time. A grease trap may not be installed inside any part of a building without written approval by the City Plumbing Inspector.
- G. Pass Through Limits: No User shall allow wastewater discharge concentration from grease trap to exceed 100 MGPL (milligrams per liter) as identified by EPA method 413.
- H. A minimum 12' X 12" dumpster pad with 6" (six inches) curb sloped to 3" (three inches) drain, slick finished, for garbage and grease receptacle is required. Both hot and cold water is required at the dumpster pad. The drain for the dumpster pad shall be routed through the required grease trap. These dumpsters must be maintained as to prevent obnoxious odors and the infestations of flies and larvae.
- I. A 3 compartment sink with drain boards on each side is required. Individual compartments must be protected from the possibility of cross contamination.
- J. A hand washing sink and floor mounted mop sink are required for FOG establishments.
- K. Food service operations that involve frying, grilling, baking, or barbequing or any other operation that produce considerable amounts of grease require suppression hoods per the International Mechanical Code, 2012 Edition as adopted and amended accordingly by the city administration.
- L. Positive air pressure flow must be provided in the seating areas of the FOG establishments per the International Mechanical Code, 2012 Edition as adopted and amended accordingly by the city administration.
- M. All food service operations shall conform to the applications for special and indirect waster per the International Plumbing Code, 2012 Edition as adopted and amended accordingly by the city administration.
- N. All facilities shall comply with the bathroom facilities per the International Building Code, 2012 Edition as adopted and amended. These facilities will also be required to meet A. D. A. accessibility for restrooms, parking, and other accessibility.
- O. The number of parking spaces are determined per zoning requirements.

SECTION VI. DESIGN CRITERIA.

- A. Construction: Grease traps shall be constructed in accordance with the City of Laurel, Mississippi standards and shall have a minimum of two compartments with fittings designed for grease retention.
- B. Access: Access to grease traps shall be available at all times for their maintenance and inspection. Access manholes, with a minimum diameter of 24 inches, shall be provided over each grease interceptor chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.
- C. Load-Bearing Capacity: In areas where additional weight loads may exist, the grease trap shall be designed to have adequate load-bearing capacity. (Example: vehicular traffic in driving and parking areas)
- D. Inlet and Outlet Piping: Wastewater discharging to a grease trap shall enter only through the inlet pipe of the trap. Each grease trap shall have only one inlet and one outlet pipe.
- E. Grease Trap Sizing: The required size of the grease trap shall be calculated using EPA-2 model. All grease traps shall have a capacity of not less than 1,000 gallon nor exceed a capacity of 3,000 gal. If the calculated capacity exceeds 3,000 gal., multiple units plumbed in series shall be installed. Concrete preferred.

SECTION VII. GREASE TRAP MAINTENANCE.

- A. Cleaning/Pumping: The user at the user's expense shall maintain all grease traps to assure proper operation and efficiency and maintain compliance with the city's Pass Through Limits. Maintenance of grease trap shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids. This work shall be performed by a qualified and licensed hauler. Decanting or discharging of removed waste back into the trap from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is prohibited. This service shall also include a thorough inspection of the trap and its components. Any needed repairs shall be noted. Repairs shall be made at the user's expense.
- B. Cleaning/Pumping Frequency: The grease trap must be pumped out completely a minimum of once every four (4) months, or more frequently, to prevent carry over of grease into the city's sanitary sewer system.
- C. Disposal: All waste removed from each grease trap must be disposed of at a facility approved to receive such waste in accordance with the provisions of this program. In no way shall the pumpage be returned to any private or public portion of the city's sanitary sewer collection system. All pumpage from grease traps must be tracked by a manifest, which confirms pumping, hauling, and disposal of waste. The customer must obtain and retain a copy of the original manifest from the hauler.
- D. A grease trap cleaning/maintenance log indicating each pumping for previous 24 months shall be maintained by each Food Service Facility. This log shall include the date, time, amount pumped, hauler, and disposal site and shall be kept in a conspicuous location for inspection. Said log shall be made available to the City Plumbing Inspector and /or his/her representative upon request.
- E. Submittal of Records: Each user shall submit all cleaning maintenance records to the City of Laurel Water Department. The maintenance records shall include the following information:
 - a. Facility name, address, contact person, and phone number.
 - b. Company name, address, phone number and contact name of person responsible for performing the maintenance, cleaning, pumping, or repair of grease trap.
 - c. Types of maintenance performed.

- d. Dates maintenance was performed.
- e. Date of next scheduled maintenance.
- f. Copies of manifests.

The City of Laurel Water Department and/or City Plumbing Inspector will perform periodic inspections of these facilities and shall notify the user of any of any additional required maintenance or repairs. Upon written notification the user shall be required to perform the maintenance and records of said maintenance within 14 calendar days. Upon inspection the user may be required to install, at his expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the wastewater collection system.

SECTION VIII. ENFORCEMENT.

1. Representatives of the City of Laurel, Mississippi may sample a user's facility at any time. It shall be unlawful for a user to refuse to allow the City Plumbing Inspector and/or his/her designee to enter the user's premises during business hours to determine whether the user is complying with all the requirements of this Article. A user shall allow the City Plumbing Inspector and/or his/her designee to all parts of the premises for the performance of all other duties. If the results of the sampling indicate that the grease trap is not in compliance with this Ordinance, or if the user has not timely submitted a manifest or other report as required by this Ordinance, the user shall be required to pay for the sampling done under this section.
2. Except as provided herein, for a period of one year following adoption of this Ordinance, although installation of grease traps shall be required to be installed, no enforcement actions will be taken under this Ordinance for failure to achieve limits on grease discharges from the facility. If, during this one year period an obstruction of a sewer main(s) occurs that causes a sewer overflow to the extent that an impact on the environment is realized and that said overflow or failure of the sanitary sewer collection system to convey sewage can be attributed in part or in whole to an accumulation of grease in the sewer main(s) the City of Laurel, Mississippi shall take appropriate enforcement action.

SECTION IX. PENALTIES.

1. Any person who fails to comply with any provision of this article shall be fined an amount not to exceed the maximum allowed by city regulations for each offense. A violation of any provision under the authority of this article shall constitute a violation of this article. Each violation shall constitute a separate offense.
2. Any person found by the Court to be in violation of said Ordinance and who has received a Municipal Offense Ticket for a violation of said Ordinance, or if any person receiving said Ticket fails to appear in said Court, or otherwise settle the matter prior to the date stated on the Municipal Offense Ticket, pursuant to the provisions of this Ordinance, shall be guilty of a misdemeanor. Any person found guilty of a violation shall be punished, in the discretion of the Court, either under the terms of said Ordinance or by a fine of not more than \$1,000.00 or by imprisonment in the City or County jail for a period not to exceed on (1) year, or by some community service as may be ordered by the Court or by a combination of either a fine, imprisonment and/or community service, at the sole discretion of the Court, unless otherwise prohibited by State law. The Court may escalate the punishment of those found guilty of repeat or subsequent violations of the same law.

SECTION X. CONFLICTING CODE SECTIONS AND ORDINANCES.

Where there appears to be a conflict between the terms of this Ordinance and the other laws to be enforced by the municipality, the Court shall have the discretion of applying the most appropriate remedy to the violation charged.

SECTION XI. SEVERABILITY.

If any article, section, sentence, clause, or phase of this Ordinance is for any reason held to be invalid or unconstitutional by declaration of any Court of competent jurisdiction, such declaration shall not affect the validity of remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each article, section, sentence, clause, or phrase thereof irrespective of the fact that one or more articles, sections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION XII. EFFECT OF ORDINANCE.

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law. This Ordinance applies to property within the City limits and shall be in full force and effect herein.

SO ORDAINED, this the 5th day of September, A.D., 2017.

The above and foregoing Ordinance, having been first reduced to writing, was introduced at a regular meeting of the Council on the 5th day of September, A.D. 2017, and was read and considered.

Thereafter Councilperson T. Comegys, moved for the adoption and approval of the First Reading of said Ordinance, which motion was seconded by Councilperson S. Comegys.

Upon roll call vote, the result was as follows:

YEAS: Capers, Wheat, Thaxton, Carmichael, S. Comegys, T. Comegys, Page

NAYS: None

ABSTAINING: None

ABSENT: None

The President thereupon declared the motion carried and the First Reading of this Ordinance approved, this the 5th day of September, A.D. 2017.

PRESIDENT OF THE COUNCIL

ATTESTED AND SUBMITTED TO THE MAYOR BY THE CLERK OF THE COUNCIL ON

_____.

CLERK OF THE COUNCIL

APPROVED () DATE _____

VETOED () DATE _____

MAYOR

ATTEST:

CITY CLERK

Min. of: 09/05/17; Min Book: 100; Pg. No: _____, Agn Item No: 4D